

Weare Conservation Minutes  
Minutes  
July 9, 2003  
\*\*\*\*\*Draft\*\*\*\*\*

In attendance were: Tom Carr, Pat Myers, Andy Fulton, Mike Manna, and John Ciampi. Absent was Ellen Dokton.

Meeting commenced at 7:10 P.M.

1) **June 4 minutes** - Pat Myers read the minutes of June 4<sup>th</sup> work session. Andy made motion to approve the minutes as read, and Tom 2<sup>nd</sup>. All voted in the affirmative and motion carried.

2) **June 11 minutes** - John read the minutes of June 11, 2003. Changes proposed include, in section 4, in front of the wording "485A rule", shall be added "RSA 485 rule". Also in section 4, "natural soils scientist" shall be changed to read "wetlands scientist". In section 8, "Klemarczic" shall be changed to the correct spelling. Pat made motion to approve the minutes as amended, and Andy 2<sup>nd</sup>. All voted in favor of approval. Motion carried.

3) **Minimum lot size** - Paul Morin, of the Planning Board, asked the Commission to review the lot sizing regulations. Tom explained to the Commission how lot sizing is figured for sub-divisions and septic designs. The primary determinates are soil type and slope. Weare's standard for determining lot size is slightly more stringent than the state's. The town minimum is one acre more than what the state requires; however, a cluster development still must conform to minimum state requirements. Mike pointed out that each development would have to be carefully considered for its uniqueness when crafting regulations for that particular property. Pat added that certain site qualities would have to be properly defined according to an established benchmark for regulation design. Tom will recommended to the Planning Board to include possible verbiage such as, " no more than 30% of the property can be wetland, and no more than 30% of the property can be greater than a 45 degree slope". Andy commented that the size of the proposed lot be a factor in designing lot size regulations. The finalized draft will ultimately default to Master Plan inclusion.

4) **Ditch lines** - Paul Morin requested that the Commission discuss the subject of "ditch line construction" at their meeting in order to devise a workable plan for the construction and maintenance of ditch lines . Such a plan would have to be practical and amenable to the Commission, Planning Board, and lot owners. The current ruling stipulates a maximum of 400 linear feet for a catch basin. Problem is that the town doesn't own a vac truck to maintain them. One alternative would be every 400 feet a cross culvert would be installed, channeling the runoff to a drainage easement on the other side of the road. This system is cheaper to install and is self-maintaining. The Commission will make

recommendation to the Planning Board that this system is preferred, or, if the situation warrants, a combination of cross drainage and catch basin setup with Planning Board discretion.

5) **Rosedale Contracting, Inc** - located on Hodgedon Rd., lots 407/86 (2.50 ac.) and 407/86.1 (2.53 ac.) , requests a standard wetland permit to install a bridge crossing , measuring 26' x 21', spanning *Peacock Brook*. There are several complaints associated with this project: there are logs in the jurisdictional portion of the wetland; there is a certain amount of negative bank impact due to improper erosion controls; and two lots are being logged even though they haven't been subdivided, so an "intent to cut" permit is required, and apparently, it hasn't been issued. Tom will draft a letter of response to DES advising cleanup of the brook by hand, and installing erosion and stabilization controls. In a memo to the Planning Board, Tom will mention that the bridge specs are ambiguous; there are neither test pits nor a 50' buffer indication on the site plan, and also to be mindful that this brook drains into a primary wetland downstream.

6) **William Boisvert sub-division** – located on Rt. 114, tax map 109, lots 16-1, 16-2, 16-3, and 16-4. A wetlands permit has been attached to this plan, and it returned as a 4 lot subdivision. There are two wetland crossings under focus. Tom suggests relocating one of them further back on the lot to avoid impacting a wetland. Comments to the Planning Board include: a request that there be included on the plan a wetland stamp by a certified wetland scientist, required because a standard application has been submitted; and there are no 50' setback markers delineated. To the Wetlands Bureau and the Planning Board, Tom proposes recommending extension of one of the drives to avoid impaction of the wetland.

7) **Francis Currier Trust and Chester Colburn** – LLA on Ledge Rd., map 102, lots 2 & 10. Purpose is to eliminate the lot line between these two lots. There seemed to be no cause for objections on this issue.

8) **Bill Boisvert LLA and sub-division** – tax map 412, lots 185-12 & 194. Purpose is to create lot 412/194.1 by adjusting the lot lines between lots 412/185-12 and 412/194. It will be addressed to the Planning Board that there are no soil lines indicated on the plan, it is not clear how many units will ultimately exist in this cluster development, there is no wetland certification on plan and no 50' setback delineated.

9) **Wetland Bureau actions** – a letter was received from DES indicating that comments from the Commission concerning *Tarand Development* were received and were placed on file for future review.

10) **Evelyn Gooch lands** – at this time, all players are amenable to transferring these properties into conservation designation. Pat advanced comment concerning incurred expenses, i.e. potential liabilities, possible clean-up costs, liens, encumbrances, etc. It was generally felt that these are not serious threats. Tom stated that deed restrictions are legally binding in response to concerns over the future status of conservation protection of these properties.

Motion made by John to accept both parcels of land as seen, modified by Tom to be written on the proposed deed, "*in return for deed restrictions on the lots to be conserved in conservation*". Pat 2<sup>nd</sup> the motion as revised, and all voted in the affirmative. Motion carried. Tom will forward the results of this development to the selectmen for their review at their next session.

11) **Wood property update** – is now at the point of calling for a public hearing. Tom will notify the selectmen on the recent development on this issue. Notice will be posted in the Union Leader as well as expedient locations around town.

The hearing is slated for Wednesday, Aug. 20 @ 7 P.M. in the town office building conference room so that it can be televised. Purpose of this hearing is to initiate discussion of the Wood Property acquisition for consideration of the pro's and con's and to serve as a platform for informational diffusion. No work session is scheduled for August, however, the regularly scheduled meeting will be conducted per the normal schedule. Pat has agreed to contact Forest Essenwine, chairman of zoning, to seek guidance on how to handle the LLA between the proposed conservation portion and the retention of the Wood parcel since it needs to be determined if a variance will be needed. Discussion ensued pertaining to ATV usage on the property. It was generally agreed that this is a difficult subject because enforcement of violations would be tenuous at best.

Mike has volunteered to notify the local snowmobile club of the upcoming public hearing so that by their presence, hopefully, constructive dialogue will result. Pat Myers queried over the next procedure once the purchase agreement is finalized. Tom suggested that the agreement be sent out by e-mail to all the members for their review so it would be amenable to the members before it does become finalized.

12) **Wetland violations** – there were three wetland violation complaints this month. One, on Hodgedon Rd. ante written, another was on Rockland Rd. which Tom could not find, and one on Rt. 77 South, which was determined to be a violation, on lot 411/35, on Dustin Tavern Rd. An anonymous caller reported this misdeed. Tom called DES who then notified the violator and asked that they cease filling in of some wetland pockets on their property.

13) **Complaint forms** – Tom stated that the complaint forms are already made up, as indicated by Everett Stone, so these forms from his office will be used in the future.

14) **PRLAC** – the Piscataquog River Local Advisory Committee has made comment pertaining to the Bill Weber golf course proposal. They suggest that there be a permanent bridge crossing spanning Dustin Brook; an approved procedure should be developed to remove the old log stream crossing so as to mitigate siltation; electrical and irrigation crossings of the brook should be crossed via the permanent bridge to avoid disruption of water flow; a provision of the developer should include reparation of any abutters well degraded by the development; designate on the site plan the up and down stream wells which Mr. Weber has agreed to monitor; a "no spray zone" is not included on the engineering plans; finally, silt fencing should be well maintained during construction of the course and until the course turf is established. These comments were sent to NHDES for review.

15) **Conservation signs** – Mike and his sons have installed nine conservation signs at Ferrin Pond.

16) **PWA** – has sent to the Commission a list of property owners with 50 acres or more who are considered as potential candidates for conservation land donation.

17) **Adjournment** – Mike Manna made motion to adjourn and Pat Myers 2<sup>nd</sup>. All voted in favor of motion. Meeting adjourned at 10:07 PM.

Respectfully submitted,

John Ciampi

cc: town clerk  
BOS  
Commission files